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*Attorneys for Plaintiffs*

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

RAYMOND BALL, an individual, and JOSEPH  
TOTH, an individual,

Plaintiffs,

v.

MATTHEW CARSON, an individual,  
WILLIAM CARSON, an individual,  
TERRANCE THURBER, an individual,  
THOMAS THURBER, an individual, DG  
ROLLINS MINING, LLC, a Wyoming limited  
liability company, COLUMBIA GORGE DATA  
CENTER, LLC, a Nevada limited liability  
company, WHC & SWC INVESTMENTS, LTD,  
a Texas limited partnership, INTELLIGENT  
INVESTMENTS, LLC, a Texas limited liability  
company, and SNICKERS #1, LLC, a Texas  
limited liability company,

Defendants.

Case No. 3:19-cv-00242-HZ

**NOTICE OF SETTLEMENT**

Plaintiffs, Messrs. Raymond Ball and Joseph Toth, through the undersigned counsel, hereby provide the Court with notice of a final settlement between the parties. This settlement shall resolve all disputes described in the pleadings and, accordingly, the parties shall no longer require the trial and pretrial dates presently set for November 9, 2020, and November 17, 2020, respectively. The parties anticipate filing a stipulated dismissal by the end of the week, if not sooner.

DATED: June 16, 2020

COSGRAVE VERGEER KESTER LLP

*s/ Damon M. Semmens*

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### **CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and correct copy of the foregoing **NOTICE OF SETTLEMENT** on the date indicated below by:

- ☐ mail with postage prepaid, deposited in the US mail at Portland, Oregon,
- ☐ hand delivery,
- ☐ facsimile transmission,
- ☐ overnight delivery,
- ☒ electronic filing notification.

If served by facsimile transmission, attached to this certificate is the printed confirmation of receipt of the documents generated by the transmitting machine. I further certify that said copy was placed in a sealed envelope delivered as indicated above and addressed to said attorneys at the addresses listed below:

Peter J. Viteznik  
Robert B. Miller  
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Attorneys for Defendants  
Terrence Thurber, Thomas Thurber,  
DG Rollins Mining, LLC and  
Columbia Gorge Data Center, LLC

DATED: March 11, 2020

s/ Stella Wolfe  
Stella Wolfe